Calendar No. 703

100TH CONGRESS
2d Session

SENATE

REPORT
100-370

DINOSAUR NATIONAL MONUMENT, UTAH

MAY 27 (legislative day, MAY 18), 1988.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1927]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1927) to provide for the approval of a desert land entry in the vicinity of the Dinosaur National Monument and for other purposes, having considered the same, reports favorably thereon with an amendment to the title and recommends that the bill do pass.

Amend the title so as to read:

> A bill to provide for the consideration by the Secretary of the Interior of a desert land entry in the vicinity of Dinosaur National Monument, and for other purposes.

PURPOSE OF THE MEASURE

S. 1927 would authorize the Secretary of the Interior to consider an application for desert land entry covering approximately 280 acres of public lands in Utah.

BACKGROUND AND NEED

The purpose of the Desert Land Entry Act is to encourage and promote the reclamation, by irrigation, of the arid and semiarid public lands of the Western States through individual effort and private capital. Lands must be nontimbered, surveyed, unreserved, unappropriated and artificially irrigated. Entries may be allowed on up to 320 acres in as much of an economical unit as possible. If the applicant complies with the requirement of the law, a patent will be issued for the lands. At the time of the filing, the applicant pays 25 cent per acres plus a $75 filing fee. At the time of final

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proof, if he meets the requirements of the law, the applicant will pay $1 an acre for the tract.

Approximately 105 acres of the land to be considered in an application for desert land entry under S. 1927 are public lands within a scenic easement area adjacent to Dinosaur National Monument. Because the lands in question were reserved from public entry and appropriation under public land law, desert land entry appropriation is not possible. Since the withdrawal came about as a result of congressional action that added land to the Dinosaur National Monument, any revocation of the reservation other than Congress is precluded. There is no action the Bureau of Land Management could take to allow the desert land entry. This legislation is necessary for that purpose.

S. 1927 would allow consideration of a desert land entry application. If the applicant meets the requirements of the Desert Land Entry Act, a patent could be issued. It is important to note that the legislation requires that the same right-of-way for access to the monument now applicable to the public land covered by the application would also apply to these lands if they were patented under the Desert Land Entry Act. In addition, under the terms of S. 1927 the United States would acquire, at no cost, scenic easements on certain non-Federal lands for purposes of the Dinosaur National Monument.

LEGISLATIVE HISTORY

S. 1927 was introduced by Senators Hatch and Garn on December 8, 1987. A hearing was conducted by the Subcommittee on Public Lands, National Parks and Forests on April 28, 1988.

At the business meeting on May 18, 1988, the Senate Committee on Energy and Natural Resources ordered S. 1927, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on May 18, 1988, by unanimous vote of a quorum present, recommends that the Senate pass S. 1927, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers*	
Mr. Ford	
Mr. Metzenbaum*	
Mr. Melcher	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker*	

Mr. Domenici
Mr. Wallop
Mr. Murkowski
Mr. Nickles
Mr. Hecht
Mr. Evans

*Indicates voted by proxy.

COMMITTEE AMENDMENTS

During the consideration of S. 1927, the Committee adopted a technical amendment to the title.

SUMMARY OF MEASURE

S. 1927, as ordered reported, would authorize the Secretary of the Interior, notwithstanding any law or any order to land classification based thereon, to consider an application for desert land entry covering approximately 280 acres of public lands, 105 of which constitute a part of a scenic easement area of the Dinosaur National Monument. If the desert land entry applicant meets the requirements of section 2 of S. 1927, the Secretary must issue a patent in accordance with the Desert Land Entry Act. The patent would reserve to the United States a right-of-way 200 feet in width for the Dinosaur National Monument entrance road.

S. 1927 would not allow the Secretary to issue the patent authorized in section 1 until the applicant has complied with the Desert Land Entry Act and conveyed to the United States, at no costs, title to scenic easements for purposes of the Dinosaur National Monument on specified lands.

Finally, S. 1927 would require that the scenic easements acquired by the Secretary and any patents issued by the Secretary under S. 1927 shall be subject to the restriction in a specified scenic easement deed.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 25, 1988.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1927, a bill to provide for the approval of a desert land entry in the vicinity of the Dinosaur National Monument and for other purposes, as ordered reported by the Senate Committee on Energy and Natural Resources, May 18, 1988. Enactment of this bill would not affect the budget of the federal government or those of state or local governments.

S. 1927 would authorized the Secretary of the Interior to consider an application for desert land entry covering approximately 280 acres of public lands. The bill directs the Secretary to issue a

patent to the lands only if the applicant has complied with the requirements of the Desert Land Entry Act and gives the government title to certain scenic easements. Further, the Desert Land Entry Act requires the applicant to pay a small fee prior to receiving a patent.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM,
Acting Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1927. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1927, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to S. 1927 is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, May 17, 1988.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on S. 1927, "To provide for the approval of a desert land entry in the vicinity of the Dinosaur National Monument and for other purposes."

We would not object to enactment of S. 1927, if amended to address our concern.

S. 1927 would authorize the Secretary of the Interior, notwithstanding any law or any order of land classification based thereon, to consider an application for desert land entry covering approximately 280 acres of public lands, 105 of which constitute a part of a scenic easement area of the Dinosaur National Monument. If the desert land entry application meets the requirements of section 2 of S. 1927, the Secretary must issue a patent in accordance with the Desert Land Entry Act. The patent would reserve to the United States a right-of-way 200 feet in width for the Dinosaur National Monument entrance road.

Section 2 of S. 1927 would not allow the Secretary to issue the patent authorized in section 1 until the applicant has complied with the Desert Land Entry Act and conveyed to the United States,

at no cost, title to scenic easements for purposes of the Dinosaur National Monument on specified lands.

Section 3 of S. 1927 would require that the scenic easements acquired by the Secretary and any patents issued by him under S. 1927 shall be subject to the restriction in a specified scenic easement deed.

The purpose of the Desert Land Entry Act is to encourage and promote the reclamation, by irrigation, of the arid and semiarid public lands of the western States through individual effort and private capital. Lands must be nontimbered, surveyed, unreserved, unappropriated and artificially irrigated. Entries may be allowed on up to 320 acres in as much of an economical unit as possible. If the applicant complies with the requirements of the law, a patent will be issued for the lands. At the time of the filing, the applicant pays 25 cents per acre plus a $75 filing fee. At the time of final proof, if he meets the requirements of the law, the applicant will pay $1 an acre for the tract.

Approximately 105 acres of the land to be considererd in an application for desert land entry under S. 1927 are public lands within a U.S. Park Service scenic easement. Because the lands in question were reserved from public entry and appropriation under public land law, desert land entry appropriation is not possible. Since the withdrawal came about as a result of congressional action that added land to the Dinosaur National Monument, any revocation of the reservation other than by Congress is precluded. There is no action the Bureau of Land Management could take to allow the desert land entry. This legislation is necessary for that purpose.

S. 1927 would merely allow consideration of a desert land entry application. If the applicant meets the requirements of the Desert Land Entry Act, a patent could be issued. It is important to note that the same scenic easement that now applies to the public land would also apply to the same lands if they were patented under the Desert Land Entry Act. In addition, the United States would acquire, at no cost, title to scenic easements on certain lands for purposes of the Dinosaur National Monument.

We have a concern that this legislation may be intended to exempt the proposed conveyances from the preliminary injunction issued in the *National Wildlife Federation* v. *Burford, et al.* lawsuit. if this is its intent, we object to it.

The preliminary injunction in that case enjoins the Secretary from taking any action inconsistent with the specific restrictions of a withdrawal or classification in effect on January 1, 1981. Lands affected by S. 1927 were within a reclamation withdrawal which was revoked on February 20, 1981. Because the lands were under a reclamation withdrawal on January 1, 1981, it appears that the Secretary would be enjoined from completing the conveyances under S. 1927.

There are many individuals as well as local governments who have had proposed conveyances put on hold by the injunction. We believe that the desert land entry applicant covered by S. 1927 should not be singled out and granted an exemption from the preliminary injunction. All persons and entities affected by the preliminary injunction should be treated equally. For this reason, al-

though we have no objection to processing the desert land application, we believe S. 1927 should be amended to make it clear that no conveyances would be made until the preliminary injunction issued in *National Wildlife Federation* v. *Burford, et al.* is lifted and the lawsuit resolved.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

MICHAEL A. POLING,
Deputy Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1927, as reported.

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Calendar No. 704

100TH CONGRESS
2d Session

SENATE

REPORT
100-371

VIETNAM WOMEN'S MEMORIAL

MAY 27 (legislative day, MAY 18), 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany S. 2042]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2042) to authorize the Vietnam Women's Memorial Project, Inc., to construct a statue at the Vietnam Veterans Memorial in honor and recognition of the women of the United States who served in the Vietnam conflict, having considered the same, reports favorably thereon with amendments to the text and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 9, strike "Interior," and insert, "Interior (hereinafter referred to as the 'Secretary'),".

2. Beginning on page 2, line 17, strike the phrase "Secretary of the Interior" wherever it appears in the bill and insert in lieu thereof "Secretary".

3. On page 2, lines 19 and 20, strike the phrase "date of the enactment of this section," and insert "submission of the design and plans to the Secretary,".

4. On page 4, beginning on line 4, strike paragraph (2) in its entirety, and renumber accordingly.

5. On page 4, line 18, strike the phrase "additions to the site should be", and insert "additions or alterations to the site shall be".

6. On page 4, after line 19, add the following new section.

S313-19

SEC. 3(a) Not later than ninety days after the date of enactment of this Act, the Secretary and the Administrator of the General Services Administration shall jointly prepare and transmit to the Energy and Natural Resources Committee of the Senate and the Committees on Interior and Insular Affairs and House Administration of the House of Representatives, a list and a description of those commemorative works which have been completed and are located in the District of Columbia and its environs. The Secretary and the Administrator shall update the list from time to time as new commemorative works are completed and transmit such an updated list to the Committees.

(b) No significant modification to any completed commemorative work located in the District of Columbia and its environs may be undertaken unless specifically authorized by Act of Congress.

(c) As used in this section, the terms "commemorative work" and "District of Columbia and its environs" have the same meanings as provided in the Act of November 14, 1986 (40 U.S.C. 1002).

PURPOSE OF THE MEASURE

The purpose of S. 2042 is to authorize the Vietnam Women's Memorial Project, Inc., to construct a statue at the Vietnam Veterans Memorial in honor and recognition of the women of the United States who served in the Vietnam conflict.

BACKGROUND AND NEED

In 1980, Congress passed legislation (Public Law 96–297), which authorized the building of a memorial to commemorate the service of Vietnam veterans on a 2.2 acre parcel of land on the Mall at 21st Street and Constitution Avenue (Constitution Gardens). The bill provided that the memorial be built "in honor and recognition of the men and women of the Armed Forces of the United States who served in the Vietnam War."

In the fall of 1982, the "wall" of the Vietnam Veterans Memorial was completed and dedicated. Two years later, a statue of three infantrymen and a flag pole were added nearby. After the memorial was completed, concerns were raised by some that women who served in the war were not adequately represented by the existing Vietnam Memorial. Over 10,000 American women served in Vietnam, and eight were killed in the conflict. Those names, of course, appear on the wall.

In response to these concerns, the Vietnam Women's Memorial Project began an aggressive campaign to add a statue of a female Vietnam veteran to the existing memorial.

On October 8, 1987, Secretary of the Interior Hodel announced his support for an addition to the Vietnam Veteran's Memorial that would include a tribute to women who served in the war. The Secretary subsequently forwarded his recommendation for "the addition of an appropriately designed statue" to the Congress, the Commission of Fine Arts, and the National Capital Planning Commission.

After considering the Secretary's recommendation, the Commission of Fine Arts rejected Secretary Hodel's proposal to add such a statue to the Vietnam Veterans Memorial on the grounds that the memorial is symbolically complete. The Commission also expressed concern regarding the precedent the statue could establish for other groups wanting to alter the memorial. The Planning Commission agreed with the Fine Arts Commission.

Following the Fine Arts Commission's rejection of the proposal, legislation was introduced to statutorily modify the existing memorial.

LEGISLATIVE HISTORY

S. 2042 was introduced by Senators Durenberger and Cranston on February 4, 1988. A hearing was conducted by the Subcommittee on Public Lands, National Parks and Forests on February 23, 1988.

At the business meeting on Wednesday, May 11, 1988, the Senate Committee on Energy and Natural Resources ordered S. 2042, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on Wednesday, May 11, 1988, by a unanimous vote of a quorum present, recommends that the Senate pass S. 2042 if amended, as described herein.

The rollcall vote on reporting the measure was 18 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker	
Mr. Domenici*	
Mr. Wallop*	
Mr. Murkowski*	
Mr. Nickles	
Mr. Hecht	
Mr. Evans**	

*Indicates voted by proxy.

**S. 2042 was voted on by the Committee en bloc along with several other measures. Had this bill been considered separately, Senator Evans would have voted "nay".

COMMITTEE AMENDMENTS

During the consideration of S. 2042, the Committee adopted a number of technical, conforming, and substantive amendments. A

discussion of those changes follows. Additional information on the amendments is included in the "Section-by-Section Analysis" portion of this report.

References to Vietnam Memorial Authorizing Legislation

The Committee adopted an amendment to delete paragraph (2) of section 2 of the bill, as introduced, which provided that the addition of a statue honoring women who served in the war is well within the scope, purpose and intent of Public Law 96-297, which originally authorized the construction of the Vietnam Veterans Memorial, and that the statue could and should be undertaken pursuant to that law without need for further legislation.

In authorizing the establishment of the Vietnam Memorial, Public Law 96-297 does specifically state that the memorial was to be built "in honor and recognition of men and women of the Armed Forces of the United States who served in the Vietnam War". While the Committee agrees that the primary intent of S. 2042 is certainly consistent with that objective, the Committee does not feel that such a significant change in the existing Vietnam Memorial should be undertaken without further legislation and consideration by the Congress.

Modifications to Completed Commemorative Works

The Committee also added section 3 to the bill which directs that significant modifications to completed commemorative works in the District of Columbia and its environs may only be authorized by Act of Congress. The amendment is designed to clear up any ambiguity which might exist regarding authority over such modifications.

Consistent with that objective, the amendment directs the Secretary of the Interior and the Administrator of the General Services Administration to jointly prepare and transmit a list of those commemorative works in the District of Columbia and its environs which are completed to the appropriate Congressional committees within 90 days after the enactment of this Act. The Secretary and the Administrator are also directed to update the list from time to time as new commemorative works are completed.

SECTION-BY-SECTION ANALYSIS

Section 1 authorizes the Vietnam Women's Memorial Project, Inc. to construct a statute of a women Vietnam Veteran within the Vietnam Veterans Memorial site in the District of Columbia to honor and recognize American women who served in the Vietnam conflict. It also authorizes and directs the Secretary to choose a suitable site for the statute, with the consultation of the Vietnam Women's Memorial Project, Inc., and the Veterans' Memorial Fund, Inc., with the approval of the Commission of Fine Arts and the National Capitol Planning Commission.

Section 1 also requires that the design and plans for the statute be approved by the Secretary, the Commission of Fine Arts, and the National Capital Planning Commission and sets forth time frames for their consideration. Within 30 days of receiving the design and plans, the Secretary must either disapprove them or

send them on to the two Commissions. The Commissions then have 90 days to approve or disapprove the design. If the Commissions fail to report their approval or disapproval, approval will be deemed to have ben given.

The authorization for the statute will lapse if 5 years have passed from the time of the Act's enactment before construction begins or if sufficient funds are not available for the construction prior to ground breaking. The Secretary of the Interior is directed to be responsible for the maintenance and care of the statue.

Section 2 provides that it is the sense of the Congress that American women who served in the Vietnam conflict should be recognized and honored. The section also provides that in evaluating the plans and design for the statue, the Secretary and the Commissions are to give considerable weight to Congress' view that a statue of a woman Vietnam veteran should be constructed at the Vietnam Veterans Memorial site. After the addition of the statue, the Vietnam Veterans Memorial will be complete and no other additions to the site will be authorized or undertaken.

Section 3 deals with significant modifications to completed commemorative works in the District of Columbia and its environs. Within 90 days after the enactment of the Act, the Secretary and the Administrator of the General Services are directed to prepare a list of those commemorative works which have been completed and send the list to the appropriate Congressional committees. No significant modification to any completed commemorative work located in the District of Columbia and its environs (as those terms are defined by Public Law 99–652) may be made without specific Congressional authorization.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of the measure has been provided by the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE
U.S. CONGRESS
WASHINGTON, DC 20515

SENATE COMMITTEE ON
ENERGY AND NATURAL
RECEIVED
MAY 25 1988
WASHINGTON, D.C. 20510

May 24, 1988

Honorable J. Bennett Johnston, Jr.
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Congressional Budget Office has reviewed S. 2042, a bill to authorize the Vietnam Women's Memorial Project, Inc., to construct a statue at the Vietnam Veterans Memorial in honor and recognition of the women of the United States who served in the Vietnam conflict, as ordered reported by the Senate Committee on Energy and Natural Resources on May 11, 1988. CBO estimates that the enactment of this bill would have no significant impact on the federal budget or on those of state or local governments.

S. 2042 would authorize the Vietnam Women's Memorial Project, Inc. to construct a commemorative statue within the 2.2-acre Vietnam Veterans Memorial site in the District of Columbia. No federal funds would be used for construction, but the Department of the Interior would be responsible for subsequent maintenance expenses. These are not expected to be significant.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

James L. Blum
Acting Director

cc: Honorable James A. McClure
Ranking Minority Member

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2042. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2042, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to S. 2042 is set forth below:

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 10 1988

Honorable J. Bennett Johnston
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to your request for our reviews on S. 2042, a bill "To authorize the Vietnam Women's Memorial Project, Inc., to construct a statue at the Vietnam Veterans Memorial in honor of the women of the United States who served in the Vietnam conflict."

We do not object to enactment of S. 2042.

The Vietnam Women's Memorial Project, Inc., a nonprofit corporation, has proposed construction of a statue of a woman veteran within the 2.2-acre site of the Vietnam Veterans Memorial in the District of Columbia. Under this bill, the Secretary of the Interior would be authorized to select a suitable site, with the approval of the Commission of Fine Arts and the National Capital Planning Commission. The design and plans for the statue would be subject to the approval of the Secretary and the two Commissions. The bill contains the usual provisions that neither the United States nor the District of Columbia shall be put to any expense in the construction of the statue, and that the authority shall lapse unless construction is begun within five years and, prior to ground breaking, sufficient funds are available to complete the statue.

Section 2 of the bill would express the sense of the Congress that (1) it is appropriate that the statue be constructed to help complete the process of recognition and healing; (2) the addition of the statue could and should be undertaken pursuant to the law authorizing the Vietnam Veterans Memorial without the need for this bill; (3) the Secretary and the Commission should give weighty consideration to the sense of Congress that a statue of a woman veteran should be constructed at the Memorial site; and (4) after the addition of a statue of a women veteran, the Memorial will be complete and no further additions should be authorized or undertaken.

National Park Service Director William Penn Mott, Jr., has recommended, with the concurrence of the Secretary, that the statue be added to the existing memorial. Women who served in and with our Armed Forces in Vietnam have done so with honor, strength, and commitment, yet they are often overlooked when our Nation recognizes its veterans. The law that authorized construction of the Vietnam Veterans Memorial, Public Law 96-297, specifically dictated that the memorialization is "in honor and recognition of the men and women...who served in the Vietnam war." Statuary representation of the 10,000 women who served in Vietnam, of whom about 5,000 were civilians, would recognize appropriately the contributions of these women, as envisioned by the law that authorized the Memorial. This proposal has widespread support among many Americans, particularly veterans' organizations which we have consulted.

If Congress concurs with us that this statue would enhance the Memorial, then we would have no objection to this bill. In addition, we wish to commend the authors of S. 2042 for their sensitivity and foresight in placing in the bill an expression of the sense of the Congress that with the addition of a statue of a woman veteran, the memorialization to our Vietnam veterans will be complete. We wholeheartedly agree. We intend to work closely with the Commission of Fine Arts, the National Capital Planning Commission, and the nonprofit Vietnam Women's Memorial Project, Inc.

We have enclosed one technical amendment to the bill which should be considered in any further action on the measure.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

Susan Recce

Susan Recce
Acting Assistant Secretary

Enclosure

TECHNICAL AMENDMENT TO S. 2042

On page 2, lines 19 and 20, strike out "date of the enactment of this section" and insert "submission of the design and plans to him".

Explanation: The printed bill would require the Secretary of the Interior to decide whether or not to approve the design and plans for the statue within 30 days after enactment of this Act. The intent is to require expeditious consideration of the design and plans. However, the design and plans may not be available within 30 days after enactment of this Act. To reflect the intent of the bill, the amendment clarifies that the Secretary must decide within 30 days after submission to him of the design and plans.

ADDITIONAL VIEWS OF SENATOR EVANS

Had the Committee considered S. 2042 separately, I would have voted against it.

The Vietnam Memorial was designated to be a stark, bare and dramatic memorial. In its original form it did a remarkable job of expressing our current view of the war and symbolize the tragedy of the war by displaying the name of every American who died as a result of the fighting in Vietnam.

Since the memorial was built, we have added a statue of three soldiers nearby. If given the opportunity I would have opposed this addition as well because I believe the addition detracts from the artistic and symbolic integrity of the memorial. Similar arguments apply to the current proposal to place a flag at the apex of the wall and other proposals for unnecessary additions to the memorial. I am very concerned when Congress gets involved in prescribing artistic details. I can think of few things worse than having a capital city in which the entire artistic compositions has been dictated by measures of Congress.

My opposition to this bill certainly does not reflect antipathy towards women or a lack of respect for their contribution in the armed forces.

DANIEL J. EVANS.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2042, as reported.

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